

In re: Application of Kreuwel et al.  
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In the Claims:

Please replace the below numbered claims for the pending claims of like number, the amended claims being presented in clean form pursuant to 37 CFR 1.121.

3. (Amended) Method according to claim 1, wherein, as a result of moving either the magnets or the containers, the containers are repeatedly moved between two magnets that face each other with the same pole.

4. (Amended) Method according to claim 1, wherein the magnets are moved with respect to the position of the containers or the containers are moved with respect to the position of the magnets in such a way that the magnetic or (super)paramagnetic particles are moved through the fluid to one side of the container by bringing a first magnet with its magnetic pole close to the wall of the container and, subsequently are moved to the opposite side by bringing a second magnet close to the opposite wall of the container, whereby said second magnet has the same magnetic pole as the first magnet.

5. (Amended) Method according to claim 1, wherein the magnets are moved with respect to the containers.

7. (Amended) Device according to claim 1, the device being provided with a heat block that is positioned in such a way that it can be moved into close proximity with the containers so as to warm their contents, and moved away again.

10. (Amended) Device according to claim 1, wherein magnets can be moved back and forth on straight parallel paths along opposite sites of each container in such a way that the direction of the magnetic field in each container is repeatedly reversed.

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12. (Amended) Device according to claim (1), wherein the magnets can also be moved in a vertical direction so as to be positioned at different heights with respect to the walls of the containers.

13. (Amended) Device according to claim (1), wherein the containers are part of a closed system.

14. (Amended) Device according to claim (1), wherein the containers are tube-shaped vessels provided with a tip with a smaller diameter.

15. (Amended) Device according to claim (1), wherein, in operation, the device is configured to isolate nucleic acid.

16. (Amended) Method for the isolation of nucleic acid from starting material comprising the following steps:

- (a) bringing starting material together with an appropriate lysis buffer and magnetisable particles into at least one container,
- (b) mixing the content of the at least one container by moving a magnet array with respect to the containers in such a way that the direction of the magnetic field associated with the at least one container is repeatedly reversed for a sufficient amount of time with the magnets at a height that is adjusted to the volume of the sample,
- (c) collecting the particles at a wall of the container using the magnets,
- (d) removing most of the sample liquid from the device,
- (e) adding a sufficient amount of washing buffer to the device,
- (f) repeating step (b) to (d),
- (g) adding a suitable amount of elution buffer to the device,
- (h) drawing the particles down into the tip of the container by moving the magnets to a lower position,